

Appl. No. : 10/634,213
 Filed : August 5, 2003

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REMARKS

This is responsive to the Examiner's Office Action mailed October 4, 2005. Applicants have hereby withdrawn Claims 1-4, 13-14, 33-34, and 40-51. Thus, Claims 5-12, 15-32, and 35-39 are pending in this application.

RESTRICTION REQUIREMENT/ELECTION

In the Office Action, the Examiner issued a restriction requirement and asserted that the claims are directed to the following distinct subcombinations:

| Group | Claims | Drawn to |
|-------|---------------------------------|---|
| I. | 1, 4, 13, 14, 40-45, 50, and 51 | An implant for treating glaucoma with an inflow and outflow portion configured for disposition in Schlemm's canal |
| II. | 2, 46, and 47 | An implant for treating glaucoma with an outflow port, a standoff member, and no inflow port |
| III. | 3, 48, and 49 | An implant for treating glaucoma sized to fit within Schlemm's canal, with no inflow or outflow members |
| IV. | 5-12, 15-32, and 35-39 | An instrument and method for placing multiple implants in the eye |
| V. | 33-34 | A method of treating an eye condition comprising the step of dispensing implants without an instrument |

While the Applicants do not necessarily agree with the restriction requirement or the characterization of the claims in the Office Action, Applicants hereby elect Group IV including Claims 5-12, 15-32, and 35-39. Claims 1-4, 13-14, 33-34, and 40-51 have been withdrawn.

CONCLUSION

Applicants have made a good faith effort to respond to the outstanding Office Action. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is cordially invited to contact Applicants' attorney, at the telephone number below, to resolve any such issues promptly.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/4/05

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